

# **EXHIBIT 110**

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,  
individually and on behalf of  
NORFOLK & PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

Plaintiff,

CIVIL ACTION FILE

vs.

NO. 2:18cv530

NORFOLK SOUTHERN RAILWAY  
COMPANY, NORFOLK & PORTSMOUTH  
BELT LINE RAILROAD COMPANY,  
JERRY HALL, THOMAS HURLBUT,  
PHILIP MERILLI, and CANNON  
MOSS,

Defendants.

VIDEO DEPOSITION OF  
STEVEN ARMBRUST, ESQ.

March 11, 2020

9:56 a.m.

McGuireWoods LLP  
1230 Peachtree Street  
Suite 2100  
Atlanta, Georgia

Robyn Bosworth, RPR, CRR, CRC, CCR-B-2138

1 proposal never even went to a rate committee,  
2 correct?

3 MR. JUSTUS: Objection, foundation.

4 BY MR. LYNCH:

5 Q And never went to a vote?

6 MR. JUSTUS: Same objection.

7 A In 2018, the concerns had risen and were  
8 articulated in letters preceding the board meeting  
9 that the governance of the Belt Line was in a state  
10 that required independent board members. And as I  
11 recall from the -- there was not a desire to proceed  
12 with a rate proposal without approval of an  
13 independent board as well.

14 BY MR. LYNCH:

15 Q To your recollection, CSX didn't want to  
16 go forward with a rate vote because of the  
17 composition of the board.

18 MR. JUSTUS: Objection to form.

19 BY MR. LYNCH:

20 Q Is that a fair statement?

21 A That's my recollection, yes.

22 MR. LYNCH: Exhibit 17.